The Barristers of Toulouse in the Eighteenth Century
(1740-1793)

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II
SOCIAL AND ECONOMIC STATUS

In court, the barrister won esteem and respect through his erudition and eloquence. Social origins, fortune, and even religion were easily forgotten when the sonorous voice of a barrister, booming over the incessant hubbub in the court chambers, wittily refuted an opponent's claims or artfully applied an obscure passage in Cujas to his client's arguments. Then the raised eyebrows of the magistrates and the nodding heads of the barrister's colleagues signaled approval of his performance. Outside the court, however, the advocate did not inhabit that "order of reason and truth" in which, according to d'Aguesseau, people were judged on the basis of merit alone. Wealth and family determined his social status, which found expression in his life style and social aspirations. Each of these factors must be examined in turn to determine the social position of the Toulousan barristers.

Social Origins and Recruitment

"Whoever feels he has the talent can compete"—this is how the author of one professional manual announced the bar's accessibility to merit.1 In reality, economic and social barriers of varying proportions ensured that the man who entered the competition for cases would come from a respectable background. The educational costs were not unreasonable though they certainly placed this profession beyond the capacity of most Toulousan families. Attendance at a collège was free or moderately priced if a student did not have to board there; the cost for boarding might be 400 livres or more a year.2 Tuition at the university, however, was not costly.3 What made the educational

prerequisites of the profession financially prohibitive for most were the years of successive fee-paying and the delayed-earning period, which might last until the barrister was about twenty-two. And, then, the small chance for success might have hardly seemed worth this large sacrifice.

There were also social restrictions on entry, the most important of which were undoubtedly self-imposed. For most people outside the legal professions, the abstruse laws and pageantry of the court were foreign, if not intimidating. Sons of artisans and small merchants often lacked the cultural horizons and aspirations for a legal career even when they had some wealth. The dread of being snubbed by their better-born colleagues discouraged young men of the lower strata from entering the bar. Moreover, the Order of Barristers exercised some control over the accessibility to the bar. Inscription on the table of the Order carried certain minimum material and moral requirements. The material prerequisites were of a practical nature: all barristers were supposed to possess certain basic legal books and a separate room in their homes in which to receive clients. These, in themselves, assumed a certain level of prosperity, and the moral requirements could, at some bars, tend even more in the direction of a socially exclusive policy. The Parisian Order apparently judged not only a candidate's moral rectitude but also his wealth and family. Numerous exclusions were made, especially of artisans' sons. This policy engendered complaints, most notably from the future revolutionary Brissot de Warville, the son of an innkeeper. In Rennes, the Order of Barristers excluded all candidates whose fathers performed manual work of any kind. In subtle and not-so-subtle ways, the position of the advocate was reserved for "respectable" families.

For Toulouse, there exists no direct evidence of a deliberate policy to exclude prospective barristers on the basis of birth. Of course, a candidate from a respectable legal background did not have to meet even minimal moral standards. Thus, the successful attorney Jean Esparbiè had a son whose "dissipations" made him unfit to continue his father's profession. This scandalous behavior, however, did not

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4This included the two-year period of "apprenticeship," known as the stage, during which the young graduate attended lectures and court sessions. Technically, the young barristers could accept some cases during this period.

5In 1772, students at the Law Faculty of Besançon refused to attend classes because the son of a master wigmaker was admitted. See Deblèke, L'action politique, p. 112.


7Frédéric Saulnier, "Le barreau du Parlement de Bretagne au XVIIIe siècle," Revue des provinces de l'ouest, 1856, p. 484.

8The father forbade his son to become an attorney. See Esparbiè's testament, A.D., 3E-11834, no. 3571.
prevent his inscription on the rolls of the bar (though it is questionable that he actually practiced law). Would a shopkeeper's son have been so easily admitted? Probably not.

In fact, the recruitment pattern at the Toulousan bar was one that would become common for high-status professions over the next century. The barrister's profession was an “open” one—but it was accessible, in practice, chiefly to a narrow stratum of propertied, cultivated families, noble and common alike. The bar was open only in the sense that it was not self-recruiting. It did not involve venal offices which remained within the same family generation after generation, and fathers did not endeavor to exclude outsiders for the benefit of their sons. In fact, only about a fourth of the barristers were sons of Toulousan advocates. The dramatic expansion of the bar after 1750 was symptomatic of the entry of “new men” at an unprecedented rate.

These new men had “respectable” backgrounds and, usually, some family contact with the law (see table II-1). Less than 2 percent were sons of master artisans, and in these cases the fathers had been uncommonly prosperous artisans and the sons, exceptionally talented and ambitious. The barrister's profession was most attainable to men whose families were already in legal occupations in Toulouse or elsewhere. Two-thirds of the barristers were sons of legal men ranging from court clerks (greffiers) to magistrates in nonsovereign tribunals. It is easy to understand the attraction the bar had for them. They were familiar with law and judicial ceremony, and if they were natives of Toulouse, they had undoubtedly lived in the “legal” parishes of Dalbade or Saint Etienne, where the great barrister was a venerated figure. It was with good reason, then, that the offspring of Toulousan legal professionals were so disproportionately represented at the bar.

Families that did not already engage in legal activities were not excessively eager to place sons at the bar. It is hardly surprising that the sons of even the wealthiest cultivators did not aspire to the bar. Yet, the fears of Jacques Savary (and other proponents of commerce) that

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9 See Edmond Goblot, La barrière et le niveau, étude sociologique sur la bourgeoisie française moderne (Paris, 1967).
10 In his study of royal magistrates, Philip Dawson found that even venal offices did not necessarily create a closed profession. See his Provincial Magistrates and Revolutionary Politics in France, 1789-1795 (Cambridge, Mass., 1972), pp. 100-109. The legal professions in general were apparently open to “new men.”
11 The marriage contracts demonstrate the unusually large fortunes of their fathers; see A.D., 3E-15256, fol. 105; 3E-79994, fol. 174; 3E-26487, fol. 184. The father of Louis Labat entitled himself “tailor” in some documents and “bourgeois” in others (see A.D., 2C-2997, entry of 17 July 1780). More will be said about the talent and success of these barristers.
12 The father of one barrister, Etienne Fabre, called himself a “négociant” from Valurenque, a village near Castres. He may well have been a grain and animal merchant with a hand in the production side of the business, an enterprising laboureur. See A.D., 3E-26528, fol. 8.
### TABLE II-1. Social Origins of Barristers and Attorneys, 1750-1789

<table>
<thead>
<tr>
<th>Father’s Occupation</th>
<th>Barristers</th>
<th>Attorneys</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No.</td>
<td>%</td>
</tr>
<tr>
<td>Barrister</td>
<td>50</td>
<td>31.6</td>
</tr>
<tr>
<td>Bourgeois</td>
<td>25</td>
<td>15.8</td>
</tr>
<tr>
<td>Merchant a</td>
<td>19</td>
<td>12.0</td>
</tr>
<tr>
<td>Attorney</td>
<td>17</td>
<td>10.8</td>
</tr>
<tr>
<td>Civil officer</td>
<td>15</td>
<td>9.6</td>
</tr>
<tr>
<td>Notary</td>
<td>14</td>
<td>9.0</td>
</tr>
<tr>
<td>Greffier</td>
<td>6</td>
<td>3.8</td>
</tr>
<tr>
<td>Seigneur, écuyer</td>
<td>7</td>
<td>4.4</td>
</tr>
<tr>
<td>Master artisan</td>
<td>3</td>
<td>1.9</td>
</tr>
<tr>
<td>Doctor</td>
<td>2</td>
<td>1.1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>158</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Source: A.D., 3E. This table is based on a study of marriage contracts of advocates and attorneys.

* a“Merchant” includes marchand and négociant, usually the latter.

Merchants’ sons were all too eager to desert trade for law were also unfounded, even in this legally-minded city. In aggregate, merchants of all kinds supplied a substantial portion of barristers (12 percent), but this was not large in relation to their importance in the general population. There were over 2,000 merchants in Toulouse alone, constituting nearly 5 percent of the male population. The large-scale traders of the Grande Bourse were certainly as numerous as barristers, but only about 5 percent of the pleaders (as compared to 25 percent for barristers) came from this successful mercantile background. There was no inevitable movement from commerce to law when a merchant’s family attained prosperity.

Legal families considered the barrister’s status sufficiently distinguished to break with the ideal of occupational stability from generation to generation. Even when a father had an office or practice to pass on to his children, he frequently placed his eldest son (and heir) at the bar. The attorney Jean Monserrat Lagarrigue, for example, made his eldest son, Jean, his heir but reserved the attorney’s office for another child. Jean Lagarrigue became a barrister, and his younger brother assumed the family office. Bernard Etienne Arbanere, Pierre Belin, and

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15Dawson found that men from commercial backgrounds were not prominent among non-noble judges. See *Provincial Magistrates*, pp. 108-9. Career patterns of merchants’ children merit more attention. Apparently, law and commerce offered rather separate and distinct career “tracks.”
16A.D., 3E-10872, no. 164, testament of Lagarrigue.
Jean Valette were other eldest sons of attorneys who became barristers.\textsuperscript{17} Notaries, too, placed their eldest sons and heirs at the bar.\textsuperscript{18} In legal families, then, barristers were not cadets who had been pushed out on their own while an older brother assumed the greater part of the family’s wealth and status. On the contrary, the eldest son raised the honor of the family by entering the bar, leaving the inferior legal office to a younger child.

In the case of commercial families, however, the intergenerational pattern was much less consistent and clear. Both eldest sons and cadets entered the bar, with the latter predominating. It appears that smaller merchants (perhaps some were only prosperous shopkeepers) were more willing to place eldest sons at the bar than were established traders. Such career patterns, however, did not indicate that larger merchants scorned the legal world; rather, these patterns reflect different values and family aspirations.\textsuperscript{19}

Outside the legal world the families of bourgeois (that is, rentiers) were another important source of barristers. They, of course, lacked the commercial alternative available to sons of merchants. Many “advocates without cases” differed from rentiers only in their possession of legal degrees and professional title. In terms of life style the bourgeois and barrister were close, and this may explain the migration to the bar of families “living nobly.”

If the bar attracted most of its practitioners from the legal professions, it was particularly open in a geographic sense. New men from all over the jurisdiction of the Parlement and beyond established practices in Toulouse. The marriage contracts reveal that 46 percent of the barristers were sons of nonresidents. However, this source is biased in favor of Toulousans; the true proportion of non-natives at the bar was surely over half.\textsuperscript{20} Some came from distant places, but most were natives of villages and towns within fifty miles of Toulouse (see figure II–1).\textsuperscript{21} About a third of the non-native barristers were from rural communities around Toulouse, where their fathers had frequently been bourgeois or notaries.\textsuperscript{22} Jean Philippe Boun, for example, was the

\textsuperscript{17}A.D., 3E-21571, fol. 228; 3E-13919, fol. 3; 3E-11867, fol. 10348.
\textsuperscript{18}See, for example, the case of Corail, A.D., 3E-11095, fol. 220; and Lafage, whose father was a notary, but not in Toulouse, 3E-11087, fol. 174.
\textsuperscript{19}When merchants were ennobled, their sons usually became barristers. This indicates their respect for the legal profession.
\textsuperscript{20}Natives of the city were more likely to wed women from Toulouse, thereby leaving a marriage contract with a Toulousan notary. Marriage contracts are only one possible source for the study of internal migration. For the problems and prospects of research on migration, see the special issue of \textit{Annales de démographie historique} (1970).
\textsuperscript{21}For Toulousan migration in general, see M. L. Larnaudie, “L’immigration à Toulouse de 1750 à 1775” (D.E.S., University of Toulouse, 1969). More studies of the migratory patterns of different social groups are needed.
\textsuperscript{22}There are no studies of the “bourgeoisie rurale” for the region of Toulouse. For Burgundy, see Pierre de St. Jacob, \textit{Les paysans de la Bourgogne du Nord au dernier siècle...}
son of a bourgeois of Maurens, a village of nearly 300 inhabitants 32 kilometers southeast of Toulouse. The important barrister Jean Baptiste Lafage was the son of a notary of Cintegabelle, a larger village in the diocese of Toulouse. Nearly half of the non-native advocates came from towns and urban areas of 3,000 to 5,000 inhabitants. Their fathers had been legal men (especially barristers, judges, and notaries) or rentiers. Children of leading families in these towns were not uncommon at the Toulousan bar. Jean Bernard Bellomaire, for example, was the son of a mayor of Verfeil, a town of about 2,500, east


23* A.D., 3E-10760, fol. 128. For the populations of towns and villages, I have used Georges Frêche, "Dénombrement de feux et d'habitants de 2973 communes de la région toulousaine," *Annales de démographie historique*, 1968, pp. 589-421; and 1969, pp. 397-471.

24* A.D., 3E-2652, fol. 8.
of Toulouse. The grandfather of Antoine Flottes had been a municipal officer of Cordes, while Antoine Cahusac was the son of the ‘‘royal magistrate’’ of Gimont, a town near Auch. Barristers from villages and towns outnumbered those from the large cities (other than Toulouse). Natives of Montauban, Castres, Albi, and Carcassonne were not numerous at the bar, even if these cities had concentrations of well-to-do legal professionals. Perhaps residents of these cities were satisfied with the cultural and social opportunities available there. But well-off families outside these large urban areas sought wider horizons by placing sons at the Toulousan bar.

Thus far, we have been examining the background of Toulousan barristers without distinguishing between tribunals. However, the varying degrees of prestige attached to each court created different patterns of recruitment. The Parlement readily attracted non-natives and eldest sons, even those of merchants. The lesser courts of the city were staffed largely by Toulousans whose families were in commerce or law. Of six barristers at the Seneschal Court, one was the son of a barrister at this court, three were younger sons of Toulousan merchants, and two were sons of magistrates at the Seneschal Courts of Toulouse and Cordes respectively. A similar pattern may be detected for barristers at the minor courts of exceptional jurisdiction, though documentation is, admittedly, poorer. Only the Parlement attracted sons of legal men, rentiers, even seigneurs, from afar.

A study of the social origins of attorneys completes and confirms what has been said about the professional milieux of recruitment of barristers (see table II-1). Like the barristers, attorneys were usually sons of legal men, along with an important element of rentiers. Artisans’ sons were excluded by the price of the office and, perhaps, by other restrictions imposed by the Community of Attorneys. It is noteworthy that barristers’ sons did not become attorneys; apparently, the profession was insufficiently honorable in their eyes. The Parisian barrister Barbier, in fact, exhibited great disdain for attorneys, claiming that their sons “had no birth at all.”

26 Ibid., 2: 978-81; marriage contract of Flottes, A.D., 3E-11093, fol. 58.
27 A.D., 3E-13995, fol. 211, marriage contract of Cahusac.
28 One might add the cities of Auch, Condom, Cahors, and Béziers, too. Three barristers (de Vier, Fraissiner, and Villefranche), however, came from Villefranche-de-Rouergue, which had a population of about 9,300.
29 See the marriage contracts of Loubers, A.D., 3E-13993, fol. 218; Augé, 3E-5975, fol. 54; Guion, 3E-10981, fol. 109; for Bordes, 3E-10893, fol. 291, list of witnesses. See genealogies of Purpan and Flottes in Villain, Grand dictionnaire, 2: 978 and 4: 1604-8.
30 In the 1760s, this group paid 6,000 livres to liquidate an office. See Florentin Astre, Les procureurs près le Parlement de Toulouse (Toulouse, 1858), p. 32.
peculiar to barristers; it was a generally accepted evaluation. No nobles or seigneurs made their sons attorneys but they did place offspring at the bar. Attorneys and barristers, so akin by function, were socially quite distant.

The legal status and wealth of the barristers' families further defined their milieu of recruitment. By no means were all barristers sons of commoners. In fact, the Toulousan bar may well have had a higher portion of noble pleaders than any other in France; about one in ten belonged to the Second Estate. The source of this anomalous situation in Toulouse was the ennobling municipal office of capitoul, which barristers frequently held. Postponing a detailed discussion of these capitouls for later, it need only be said here that, in the last fifty years of the Old Regime, thirty-nine practicing barristers served as capitouls. These barristers and their sons made up most of the noble pleaders at the bar, but their presence encouraged other nobles, écuyers, and seigneurs to enter it. The nobles enhanced the status of the profession and, as we shall see, set standards and aspirations for their colleagues.

How wealthy were the families who placed sons at the Toulousan bar? This important question is not easily answered, for direct indications of the fathers' economic status are hard to gather. Their far-flung geographic origins and their disappearance at death from tax rolls, even when they had resided in Toulouse, necessitate the use of indirect measures of wealth. One convenient, though rough, index of family fortune was the dowries given to barristers by their brides. The dowry itself was a direct reflection of the wealth in the bride's family. Its size was ultimately determined by the portion of her parents' estate she would inherit ("la légitime tel que de droit"). The dowry varied, to be sure, with the number of siblings, the desirability of the match, and the parents' generosity. But the most important determinant was her parents' fortunes. What made the dowry a rough index of the husband's wealth was the very strong tendency for families of equal fortune to intermarry. That this was true in eighteenth-century Toulouse has recently been confirmed by Jean Sentou. Certainly, the

32 There are many lists of capitouls, some unreliable. I have used the list in Alexandre DuMège, Histoire des institutions . . . de Toulouse, 4 vols. (Toulouse, 1844), 2: 459-72. I am grateful for the advice of M. Charles Pistre, who is working on a study of the capitouls.

33 A barrister with a particularly distinguished background was Joseph Durban, baron of Sananezan, member of a parlementaire family. See A.D., 3E-11090, fol. 164. His case should be distinguished from those of the many parlementaires' sons who became barristers only as a momentary step on their way to a magistracy.

34 Fortunes et groupes sociaux à Toulouse sous la Révolution (Toulouse, 1969), p. 55 (chart), and p. 58. The marriage contracts I studied did not usually state the amount the husband received from his parents, the apport masculin. Professor Sentou believes that, on the average, it was very close to the dowry.
dowry can indicate no more than the general magnitude of the wealth in the barristers' family, and nothing further will be claimed. Whenever firmer data are available, however, they support the accuracy of this index.

The average dowry received by barristers was quite large, amounting to 14,300 livres. Their ability to attract such sizeable dowries indicates that the barristers themselves came from well-to-do families. Only 6 percent of the marriages in Toulouse during the revolutionary period entailed such large transfers of wealth. Indeed, four-fifths of the dowries in Toulouse were less than a tenth of this. Our rough index, then, shows that barristers came from very favorable economic backgrounds. To be sure, they were considerably below the parlementaires and noblesse de race, whose average dowries were over 44,000 livres in 1785. The barristers were, however, well within the economic group immediately below the aristocracy.

Our sample of 152 dowries received by barristers indicates a considerable diversity of family fortune, with a concentration at the more elevated financial levels (see table II-2). The range of dowries was immense: from the 300 livres received by Meric Ricard from his illiterate wife, to the 60,000 livres received by Jacob Londois, the son of a Montaubanais merchant. Nearly 70 percent of the dowries received by barristers surpassed 10,000 livres. At most, 5 percent of the entire Toulousan population might have attracted dowries of this magnitude. Thus it seems that barristers came predominantly from a narrow range of wealthy families.

If dowries of 14,000 livres were exceptional in Toulouse, with its concentration of aristocrats and wealthy roturiers, they must have been much more outstanding in the villages and small towns of the region. Yet, the non-native barristers did attract dowries of this magnitude.

35A.D., 3E-marriage contracts of 152 barristers, 1740-1790. My findings differ somewhat from the average dowry found by Sentou (Fortunes et groupes sociaux, p. 215). The disruptions of the Revolution may have caused the disparity. There was also an important change in legal personnel after 1789, and this surely had an impact on the size of dowries.

36Sentou, Fortunes et groupes sociaux, p. 66 (chart). Sentou's figures are the average of the male and female apports; mine represent the dowry of female apport only. Since the two were generally the same, this should make no difference for the comparison I am drawing.


38A.D., 3E-7362, fol. 199 and 3E-11094, fol. 171.

39Sentou, Fortunes et groupes sociaux, p. 66. Sentou shows that less than 6 percent of the apports were above 10,000 livres. The very poor, of course, did not make marriage contracts.

40Their average dowry was 13,750 livres. Studies of the socioeconomic structure of towns and villages in the region are needed. An examination of sixty-eight marriage contracts in the Lauraguis countryside (nineteenth century) revealed that fourteen were
Their fathers must have been rural or town residents of quite uncom-
mon wealth.

These large dowries were not characteristic of the barristers at all
Toulousan courts, which, in fact, recruited their pleaders from differ-
ent economic levels. The sizeable dowries discussed so far were charac-
teristic primarily of the barristers at the Parlement, who were clearly
from the wealthiest families. Barristers at the Seneschal Court received
an average dowry of only 7,200 livres, indicating a less favored
economic background. The pleaders at the Merchants' Court received
an average of only 4,100 livres, which was not much more than a
prosperous retail merchant could expect from his bride. Thus, the
varying economic levels of the barristers' families corresponded to the
hierarchy of the courts and helps to explain recruitment into each. The
barristers at the Parlement, where success was most difficult, came from
the wealthiest families and could most afford the risks. Those of the
Seneschal Court needed the greater opportunities for earning fees that
their relatively uncrowded tribunal afforded. Finally, the modest
family wealth of barristers at the minor courts explained their need for
the small fees earned by handling procedure and by serving in several
legal capacities at once. These variations in social background rein-
forced the differences in professional status among the barristers of the
Toulousan courts.

Source: A.D., 3E. This table is based on 152 marriage contracts of barristers.

<table>
<thead>
<tr>
<th>Dowry (livres)</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-999</td>
<td>1</td>
<td>0.6</td>
</tr>
<tr>
<td>1,000-4,999</td>
<td>15</td>
<td>9.6</td>
</tr>
<tr>
<td>5,000-9,999</td>
<td>34</td>
<td>22.4</td>
</tr>
<tr>
<td>10,000-14,999</td>
<td>34</td>
<td>22.4</td>
</tr>
<tr>
<td>15,000-19,999</td>
<td>26</td>
<td>17.0</td>
</tr>
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<td>20,000-24,999</td>
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<td>25,000-29,999</td>
<td>2</td>
<td>1.5</td>
</tr>
<tr>
<td>30,000 and over</td>
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<td>8.4</td>
</tr>
<tr>
<td>Total</td>
<td>152</td>
<td>100.0</td>
</tr>
</tbody>
</table>

less than 100 livres, forty-four were 100 to 1,000 livres, ten were above 1,000 livres. See Germain Sicard, "Socié­
A socioprofessional analysis of some large and small villages in Quercy indicates that the "rural bourgeoisie" rarely formed more than 2 to 4 percent of the population—and only a small minority of these could have attracted such large dowries. See Denise Leymond, "La communauté de Duravel au XVIIIe siècle," Annales du midi 79 (1967): 570; Pierre Valmary, Familles paysannes au XVIIIe siècle en Bas-Quercy (Paris, 1965), p. 71. For a market town of about 4,000, see Pierre Gérard, "Citoyens actifs de Grenade-sur-Garonne," Annales du midi 70 (1958): 309-16.
In the end, the recruitment pattern at the Toulousan bar was shaped by the absence of formal restrictions on entry but also by the delayed-earning period, the limited opportunities for success, and the cultural barriers that discouraged even those with the financial prerequisites. This made the bar—especially that of the Parlement—a stronghold for the wealthiest 5 to 8 percent of Toulousan families and a much narrower elite in the towns and villages of the region. Unusual sacrifice, risk, or ambition was required for families outside this elite to place sons at the bar, so they were, accordingly, less numerous. Such a recruitment pattern provided a bar that was diversified in origin, to be sure. But behind this diversity was a very qualified openness.

**Marriage and the Quest for Nobility**

The son of the unfortunate barrister Etienne Joseph Martel was known for his “lightness” of character, his indolence, and his propensity for trouble. Barrister Martel died with concern for this son on his mind. He entrusted the youth to a relative, instructing the guardian to find his son a wife distinguished by the “respectability [honnêteté] of her birth, her good morals, and by her real and effective fortune.” Despite the special problems presented by his son, Martel’s marriage policy was a typical one for barristers. Good birth and substantial fortune were the desired qualities for an advocate’s wife.

Marriage was a serious, long-pondered act for barristers, one which they postponed long beyond their entry into professional life. The average barrister wed (for the first time) 9.4 years after beginning his practice. Since twenty-four was the average age for entering the bar, most advocates were surely over thirty when they took a wife. The Toulousan barrister, thus, married two to three years later than the sober French peasant and perhaps a dozen years after the average duke and peer in Paris. Indeed, their bachelorhoods were no shorter than those of such notorious celibates as the gentlemen of Victorian England and the patriciate of Geneva.

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41 A.D., 3E-14178, fol. 194, testament of Martel.  
42 I have arrived at this average by comparing the date of the marriage contracts with the year the barrister took his professional oath, listed in the Almanach historique de la province de Languedoc (Toulouse, 1789).  
44 The average age at first marriage for the Genevan was 31.5 years, according to Louis Henry, Anciennes familles genévoises (Paris, 1956), p. 55. The Victorian gentleman or liberal professional is thought to have married in his very late twenties or early thirties. See Joseph A. and Olive Banks, Feminism and Family Planning in Victorian England (New York, 1964), pp. 29-30.
The lengthy delay served an important economic purpose: the barrister did not have to wait long after establishing a family to inherit his parents' property. This was highly desirable because, as we shall see, the family fortune was usually a barrister's most important source of income. However, the delayed marriage was not simply the product of economic necessity; it had become an integral part of the barristers' expectations and life style. Barristers from some of the wealthiest families—Londois, Cahusac, Dessolles, Durban, and Vidal—waited until their mid-30s before marrying. The long period of celibacy suggests a large measure of self-discipline, no doubt made less conscious by habit and custom.45

The maturity of the barrister at marriage assured him a definite voice in the selection of his wife. Fathers or elder relatives still arranged matches, which the barrister usually accepted,46 but his consent was the result of shared values and opinions, not of compulsion. A practicing pleader for several years, he could hardly have been forced into matrimony through economic pressure. Frequently, too, the father had died before the son's marriage, so the barrister was the effective family head. In any case, we can be confident that the values and attitudes displayed in selecting a wife were the barrister's own, not attitudes forced upon him by his family.

The substantial dowries that the barristers received demonstrated their success in meeting Martel's requirement for "real and effective fortune." As for "respectability of birth," they attained this by marrying within the professional milieux from which they had been recruited (see table II-3). Though artisans' daughters were unacceptable matches, barristers readily wed into families of large merchants, legal professionals, and rentiers.47 It was quite common for a barrister to take a wife from his father's occupational group. If marriage within one's own profession (to the daughter of a colleague) survived at all as an ideal, it had a weak hold on the barristers. Intermarriage among barristers' families was quite frequent, but it seems to have been more a matter of circumstance than of conscious design. Family occupations

45I have found only two instances in which barristers fathered illegitimate children. Both Louis Jean Gaudens Raynal and Jean (?) Vincens left sizeable legacies to "natural children" born to their servants—presumably their own children. See their testaments, A.D., 3E-10875 and 3E-11857, no. 8985.


47The barristers who married artisans' daughters were sons of artisans in each case. The famed Parisian avocat Pierre Berryer wed the daughter of an attorney in order to receive some of his father-in-laws' rich clients. See Pierre Berryer's Souvenirs de M. Berryer, 2 vols. (Paris, 1839), 1: 99-108. Toulousan barristers might have made more matches with attorneys' daughters if this had been a significant factor in their marriage policies.
TABLE II-3. Marriage Alliances of Barristers, 1750-1790

<table>
<thead>
<tr>
<th>Occupation of Wife's Father</th>
<th>Barristers</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Merchant&lt;sup&gt;a&lt;/sup&gt;</td>
<td>34</td>
<td>22.8</td>
</tr>
<tr>
<td>Barrister</td>
<td>32</td>
<td>21.4</td>
</tr>
<tr>
<td>Seigneur, écuyer</td>
<td>25</td>
<td>16.7</td>
</tr>
<tr>
<td>Bourgeois</td>
<td>16</td>
<td>10.7</td>
</tr>
<tr>
<td>Attorney</td>
<td>13</td>
<td>8.7</td>
</tr>
<tr>
<td>Civil officer</td>
<td>10</td>
<td>6.7</td>
</tr>
<tr>
<td>Notary</td>
<td>6</td>
<td>4.1</td>
</tr>
<tr>
<td>Master artisan</td>
<td>5</td>
<td>3.4</td>
</tr>
<tr>
<td>Medical profession</td>
<td>3</td>
<td>2.1</td>
</tr>
<tr>
<td>Huissier, greffier</td>
<td>3</td>
<td>2.1</td>
</tr>
<tr>
<td>Military noble</td>
<td>2</td>
<td>1.3</td>
</tr>
<tr>
<td>Total</td>
<td>149</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Source: A.D., 3E, marriage contracts.

<sup>a</sup>This category includes both négociants and marchands. There were only eight cases of marchands.

over a fairly wide range seemed less important than the size of the dowry, the personal traits of the bride, and the local reputation of her family. There was, however, one milieu above all others into which barristers sought to marry: the nobility.

Barristers were strongly attracted to alliances with noble families, and it was a sign of their high social standing that such matches were frequent. Over a fifth (22 percent) of the Toulousan avocats married into noble families (or, in two or three cases, into families whose noble pretensions may have been stronger than their legal claim). Three-quarters of these alliances involved barristers who were commoners themselves. It was significant, too, that twenty-two of our thirty-two noble marriages concerned second-generation barristers. This suggests that after a generation at the bar families were particularly ready to form a noble alliance. Altogether, these matches were the most striking aspect of the barristers' marriage pattern.

The barristers married into two types of noble families: those recently ennobled—often via the capitoul's office—and those of the hobéraux, or poor country gentlemen. The marriage of advocate

<sup>48</sup>Dawson (in Provincial magistrates, pp. 109-12) suggests that intermarriage among non-noble judges was significantly less frequent than it had been a century earlier. My impression is the same for the Toulousan barristers.

<sup>49</sup>Table III-3 includes these alliances under the rubrics seigneur, military noble, écuyer, barrister, and, in one case, civil officer. In order to determine how many of the families had a legitimate claim to noble status, I consulted Louis de la Roque, Catalogue des gentilhommes de Languedoc qui ont pris part . . . aux assemblées de la noblesse pour l'élection des députés aux États Généraux . . . (Paris, 1862). With the exceptions of two or three doubtful cases, the families appeared to have been genuinely noble.
Dominique Arrivat to a daughter of Noble de Glacçon exemplifies the latter. Arrivat's father-in-law was an écuyer and a former captain in the infantry. The Glacçon family had obviously seen better days; so had the ancient family of Bigorre into which the Toulousan barrister and future revolutionary Bertrand Barère married. Such nobles were not completely impoverished, but the 5,000 to 10,000 livres in dowry they could afford was hardly on a par with the aristocratic families of Toulouse. Considerably more often, the barrister married into a family whose noble pedigree was only one or two generations old. These noble matches flattered the barrister's self-image, drew his family closer to privileged status in a psychological sense, and gave his children what they took to be a foothold in the Second Estate.

The marriage alliances of the noble advocates deserve special attention because they had an important impact on their colleagues' social outlook and aspirations. The numerous marriages among anoblis (from law and commerce alike) created a social stratum just below the aristocracy: the second most exclusive milieu in Toulouse. These alliances illustrate the increasing compartmentalization of Old Regime society despite channels of social advancement, a phenomenon which Alexis de Tocqueville noted long ago. Yet at the same time this stratum of new nobles had the important psychological effect of making nobility seem near, familiar, and feasible as an aspiration for many barristers.

The noble barristers endeavored to marry their children to other anoblis as frequently as possible. Their alliances formed a reticulum too complicated to follow in detail here, but a striking demonstration of this network occurred at the wedding of barrister (and future capitoul) Jean Raynal to the daughter of barrister-capitoul François Amblard in 1761. Present at the ceremony were five related capitoul families, Rolland St. Rome, Cucsaq, Tilhol, Morrot, and Saremjeane. These, in turn, were allied to other noble families. The Rolland St. Rome family, originally rich merchants, were tied by marriage to the barrister-capitoul Jean Marie Delort and to Jean Pierre de Bouttes.

50A.D., 3E-2110, register 2, fol. 142.
51Gershoy, Barère, pp. 32-33.
52Barrister Lamarque proudly noted his mother's noble blood in his marriage contract, A.D., 3E-5077. And Barère claimed noble status on the basis of his mother's nobility (Gershoy, Barère, pp. 5-6).
54A.D., 3E-13965, fol. 266, marriage contract of Raynal.
55A.D., 3E-1175, fol. 97; 3E-14009, fol. 44. De Bouttes had married the daughter of Delort, and the son of this marriage wed a Rolland St. Rome. Saremjeane married a daughter of capitoul Daunauaas (3E-3900, fol. 606). A Borrel was married to the capitoul-merchant Desazars (3E-2777, register 2, fol. 16).
The Rollands were also cousins of another merchant-capitoul family, the Roussillous. A Roussillou married the daughter of the barrister-capitoul Jerome Taverne, and a child of this match married the son of the ennobled advocate Jean Baptiste Jouve. Another of Jouve's sons married Rose d'Arexi, the daughter of Pierre Arexi; and he, in turn, had wed the daughter of the minor nobleman Jean Catala de Catellan. We could easily extend our enumeration of these intermarriages, but it ought to be clear how these capitouls formed an exclusive circle and a "family"—much like the extended family of parlementaires—on the edge of the aristocracy.

To enter this restricted milieu was the hope of non-noble barristers, and a substantial number did so. Capitouls were not always wealthy enough to endow each of their daughters with the 20,000 to 25,000 livres required for a husband from their own circle. This was especially a problem in large families with several daughters. So, the anoblis sought promising barristers as sons-in-law; such pleaders were likely to become capitouls themselves. Thus, Marie Amblard married Jean Raynal while he was still a commoner, but Raynal was ennobled several years later. The merchant-capitoul Borrel gave his daughter's hand to Jean Baptiste Viguier, the most outstanding barrister during the last decade of the Old Regime. Distinguished advocates who did not attain this noble stratum might hope that their descendants would. The highly respected barrister Guillaume Dirat had never become a capitoul himself, so he was probably very pleased when his daughter married the son of capitoul Berdoulat, ensuring a noble descent. Altogether about one in four marriages involving anoblis drew non-noble barristers into this exclusive "family." In this way, many successful pleaders were placed in intimate contact with the nobility.

The intertwining of this noble circle with the most distinguished portion of the bar had very important social consequences. The noble barristers not only provided social and professional leadership for their colleagues, but they facilitated an identification with the Second Estate on the part of non-noble barristers. Hence their attachment to the extended trappings of nobility, the seigneurie, and the noble particle, as well as their eagerness to marry noble families. The distinction between noble and commoners was not always a clearcut one among the Toulousan barristers.

56A.D., 3E-26524, fol. 102, and Villain, Grand dictionnaire, 3: 1730–31. The capitoul Pyron married his daughter to a Roussillou (3E-13989, fol. 167).
58A.D., 3E-2111, register 1, fol. 264, list of witnesses. Viguier never became capitoul, despite his prominence at the bar.
59A.D., 3E-26537, fol. 146, marriage contract of Berdoulat. Dirat's pleasure at his daughter's match was demonstrated by the large dowry he provided, 30,000 livres.
60De Tocqueville underscored the importance of clear-cut, legal divisions in Old Regime society. Without denying the significance of these divisions in 1789, it may
The barristers' very respectable social origins and their favorable marriage alliances placed them in a social position immediately below the aristocracy. Did they possess wealth commensurate with this position? Born to well-off families, for the most part, it would have been surprising if many barristers did not have substantial fortunes. How large these were and how they compared to others in Toulousan society must now be considered.

Several sources are available for a study of the barristers' wealth, but none is complete or fully satisfactory in itself. In all cases, these sources deal exclusively with the barrister's personal, invested wealth (land, houses, annuities) and neglect his professional income entirely. The head tax (capitation) was, very roughly, 1 percent of annual return on capital. Its utility lies more in its comprehensiveness than in its reliability in individual cases. The average head tax paid by barristers was 25.1 livres, suggesting a yearly revenue of 2,500 livres and, assuming a 5 percent return on invested wealth, a total fortune of 50,000 livres. In contrast, the rolls of the first revolutionary imposition, the Quart, provide a much lower estimate of the barristers' fortunes—no doubt because each declared as small a revenue as he dared. Nearly a hundred barristers paid the Quart, declaring an average income of 1,310 livres. Much more reliable were the acts of succession, depositions of the barristers' estates made by their heirs. Professor Jean Sentou has found that the average succession of fifty-nine barristers who died during the revolutionary period was 34,000 livres. Finally, there were the declarations for the Forced Loan of 1793. The statements of forty-seven barristers included in this "loan" averaged slightly above 50,000 livres. However, this imposition was levied on "the rich," so the sample was not fully representative of the Toulousan bar.

If the different sources are weighed on the basis of reliability and comprehensiveness, they suggest an average fortune at the end of the Old Regime of 35,000 to 40,000 livres. This was substantial wealth, 25 to 30 percent more than the mean for Toulousan property-owner. It

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well have been that until the Revolution many commoners were more conscious of their connections to the nobility than of their exclusion from it. See Colin Lucas, "Nobles, Bourgeois, and the Origins of the French Revolution," Past and Present, no. 60 (1973), pp. 88, 93, passim. Also, Maurice Agulhon, La vie sociale en Provence intérieure au lendemain de la Révolution (Paris, 1970), pp. 103-23.

61 A.M., CC-rolls of capitation and 1K-6 for St. Etienne in 1790. For the value of the head tax, see Sentou, Fortunes et groupes sociaux, pp. 22-23.
63 Fortunes et groupes sociaux, p. 215. During the Revolution, barristers were entitled "hommes de loi" or "avocat." Sentou provides different average fortunes for the two groups. My figure is a weighted average of these two.
64 A.M., 2 G9-16.
was twice the wealth of most retail tradesmen and four times that of a master artisan. Certainly, no more than one in ten or fifteen Toulousan families could have hoped to attain this economic level, and such wealth was certainly much more exceptional outside the city.65

A discussion of "averages," however useful, obscures the diversity of fortunes among the barristers; and this diversity was considerable. The Merchants' Court pleader Pierre Bonnet paid no head tax, while Jean Boubée, at the Parlement, paid the very high capitation of 123 livres.66 Declarations for the forced loan ranged from 12,000 livres to 133,000 livres. The wealthiest barrister was probably Guillaume Louis Daram, who declared a yearly revenue of 11,698 livres in 1793 and had a fortune of about 230,000 livres.67 Pierre Alexandre Gary and Jean Prévost also had fortunes of over 200,000 livres.68 These barristers were perhaps twelve times wealthier than the most humble barristers.

The hierarchy of courts compounded the complexity of the barristers as an economic group. The richest barristers were exclusively in the Parlement, while, with one exception, the pleaders in the Seneschal Court had only middling or modest fortunes.69 Their average head tax of 12.2 livres was less than half the average for the bar of the Parlement (29.1 livres). The barristers at the courts of exceptional jurisdiction were still more modest, with an average head tax of only 7.2 livres. The differences of wealth among the bars of each court undoubtedly resulted from their different milieux of recruitment.

Even the exclusive circle of noble barristers was not an economically unified group. With an average head tax of 49.5 livres, many of these barristers were quite wealthy, and the majority certainly had fortunes over 60,000 livres. Nonetheless, this group defined itself by legal status rather than wealth, and some noble barristers were not distinctively well-off. Etienne Dominique Taverne, son of the very distinguished barrister-capitoul Jerome Taverne, died in 1790 with a fortune of only 34,000 livres.70 Jean Marie Saremejane, also the son of a capitoul, possessed a fortune of only 30,000 livres.71 So, this social elite at the bar was not always an economic elite, and this explains their intermarriages with non-nobles.

A careful analysis of the different fiscal sources permit us to estimate the personal fortunes of 229 barristers. As displayed in table II-4, these

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65Sentou, *Fortunes et groupes sociaux*, pp. 61, 66, 293, 350.
66A.M., 1 K-6 for Boubée; CC-1056 for Bonnet.
67A.M., 2 G-16.
68A.M., 2 G-2, for Gary; Sentou, *Fortunes et groupes sociaux*, p. 264 for Prévost.
69The rich barrister in the Seneschal Court was Jean Antoine Romiguieres, with a fortune of about 70,000 livres. He declared a revenue of 3,600 livres for the Quart (A.M., 2 G-2) and paid a head tax of 36 livres.
70Sentou, *Fortunes et groupes sociaux*, p. 268.
TABLE II-4. Fortunes of the Toulousan Barristers (1789)

<table>
<thead>
<tr>
<th>Fortune (livres)</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below 10,000</td>
<td>26</td>
<td>11.4</td>
</tr>
<tr>
<td>10,000-19,999</td>
<td>52</td>
<td>22.9</td>
</tr>
<tr>
<td>20,000-29,999</td>
<td>35</td>
<td>15.4</td>
</tr>
<tr>
<td>30,000-39,999</td>
<td>30</td>
<td>13.2</td>
</tr>
<tr>
<td>40,000-49,999</td>
<td>22</td>
<td>9.6</td>
</tr>
<tr>
<td>50,000-59,999</td>
<td>18</td>
<td>7.9</td>
</tr>
<tr>
<td>60,000-69,999</td>
<td>13</td>
<td>5.4</td>
</tr>
<tr>
<td>70,000-79,999</td>
<td>13</td>
<td>5.4</td>
</tr>
<tr>
<td>80,000-100,000</td>
<td>8</td>
<td>3.5</td>
</tr>
<tr>
<td>Over 100,000</td>
<td>12</td>
<td>5.3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>229</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

*Sources: A.M., CC, rolls of capitatio; 2 G-9-16; 2 G-2; Acts of succession from Jean Sentou, *Fortunes et groupes sociaux à Toulouse sous la Révolution* (Toulouse, 1969).*

...figures represent the economic structure of the bar in 1789. They do, however, understate the financial situation of barristers in two significant ways. First, our approximations are likely to be minimal ones, based as they are on the advocates' own declarations of wealth. More important, these data include the fortunes of many young men whose wealth could have grown with their maturity. Nonetheless, the barristers were still well-off compared to other Toulousans. At least half the city residents were essentially propertyless and cannot be included in any comparison. Two-thirds of those who did have property possessed fortunes between 1,585 livres and 63,000 livres according to the invaluable study by Professor Sentou. Most barristers were in this range, but at the top of it. Figure II-2 illustrates how barristers were relatively and absolutely most numerous at the top of the Toulousan economic hierarchy. If only one Toulousan property-owner in ten possessed wealth above 63,000 livres, a quarter (24 percent) of the barristers did so, and the barristers were certainly much more of an elite in the context of the regional economic structure. Thus, their financial position reflected their origins: though modest men were not excluded, a narrow stratum of wealthy families were disproportionately represented.

The barristers as an economic group compared favorably with the socioprofessional groups from which they were recruited and with which they allied in marriage. They were far richer than the average...
court clerk and _feudiste_, whose average head tax was about ten livres. The attorneys, so scorned by the barrister in a professional sense, were not so far behind the barristers economically. The attorneys' average succession was about 4,000 livres less than the barristers', while the average head tax was 20 percent below the barristers' (20 livres compared to 25.1 livres). 74 Two professional groups in the legal world, notaries and Seneschal Court judges, were, on the average, wealthier than the barristers. 75 However, the number of very wealthy men at the bar was greater than in either of these professions, and barristers dominated the economic elite of the legal world. For example, the twenty wealthiest legal professionals (of 108) to leave acts of succession during the revolutionary period included two attorneys, three notaries, two judges, and thirteen barristers. 76

In this eminently legal city, barristers were not economically inferior to the dominant commercial groups. There was a striking similarity in size and range of fortunes between the barristers and the

74 _A.M._, CC-rolls of capitation; Sentou, _Fortunes et groupes sociaux_, p. 215.

75 Sentou, _Fortunes and groupes sociaux_, pp. 215, 259. Seneschal Court officers paid an average head tax of twenty-eight livres; notaries paid one of thirty-four livres.

76 I am very grateful to Professor Sentou for allowing me to examine the individual acts of succession recorded on perforated cards. A print-out of these acts is now on deposit in the Departmental Archives.
négociants, as illustrated in figure II-3. This may explain the many intermarriages between the two groups. Only the commercial elite, the textile traders, were clearly a good deal wealthier than the barristers.\textsuperscript{77} If merchants were found less often in local positions of power and prestige than barristers, it was because their wealth did not surpass the barristers’ by enough to compensate for their lack of cultural achievements and institutional connections.

Though well-to-do in absolute terms and in relation to most other socioprofessional groups, barristers were far below the parlementaires in wealth. The magistrates’ average succession was 339,000 livres,\textsuperscript{78} nine times the average barrister’s fortune. Indeed, a larger gap existed between the average barrister and parlementaire than between the barrister and the average master artisan. The wealthiest 5 percent of the avocats barely attained the economic level of the least prosperous magistrates, who were only cadets of more important families. The parlementaires were the richest Toulousan aristocrats, but only four in a hundred barristers attained the economic level of even the most modest sector of the aristocracy, the nobles without professions.\textsuperscript{79} In total, there could not have been more than a dozen barristers in Toulouse who were affluent by aristocratic standards.

The barristers were not an economically homogeneous group, and some humble men pleaded, especially at the lesser tribunals. But there were enough moneyed barristers to place the group in a dominant position among legal men, to make barristers the equals of most merchants, and ultimately to give them a place just below the aristocracy in the economic structure of the city and of the region. Moreover, the barristers’ social power rested as much, if not more, on their professional and cultural attainments as on their wealth.

**Composition of Fortunes**

The type of property owned by the barristers reflected their interest in procuring status, security, and steady revenue from their wealth.\textsuperscript{80} This was particularly important to the many barristers who derived only a marginal revenue from their professional activities. Nearly two-

\textsuperscript{77}Marinière, “Marchands d’êtoffes.”

\textsuperscript{78}Sentou, *Fortunes et groupes sociaux*, p. 84. Another student of the parlementaires calculates their average fortune at 400,000 livres. See Philippe de Peguilhan de Larboust, “Les magistrats du Parlement de Toulouse à la fin de l’ancien régime” (D.E.S., University of Toulouse, 1965), p. 87.

\textsuperscript{79}Sentou, *Fortunes et groupes sociaux*, p. 121. They had average successions of 128,000 livres.

\textsuperscript{80}The sources which yield most information on the composition of the barristers’ estates are the Forced Loan (*A.M.*, 2 G-9-16); Martin, *Documents relatifs à la vente*; and Sentou, *Fortunes et groupes sociaux*. The analysis presented in this section is based on a study of sixty-nine barristers’ estates.
thirds (63.7 percent) of their fortunes were invested in real estate, urban and rural, which returned a reliable 3 to 5 percent on capital a year. Constituted rentes, paying 4 to 5 percent annually, composed an average of 30 percent of their fortunes. The remainder was invested primarily in personal furnishings. The overall composition of the barristers’ fortunes differed little from that of most Toulousan property owners, who also had two-thirds of their wealth in real estate.81

Rural land was the single most important component of the barristers’ fortune. It was a very attractive investment, not only for its steady return but also for reasons of prestige. Landowning was the mark of a *gentilhomme*, and the barrister never felt more like an aristocrat than when he spoke of “his sharecropper,” or when he was addressed as “maître” at harvest time.82 Perhaps this was why six out of ten barristers owned some rural property, a large proportion. Not even one in three Toulousan property owners in general possessed land in the countryside.83

81Sentou, *Fortunes et groupes sociaux*, p. 61.
The basic unit of rural property was the "domain," usually consisting of a farm (métairie) of moderate size, plus a few fields and some buildings. The métairie, complete with its own name, was the source of considerable pride. At midcentury, the average size of the barristers' domains was 63.9 acres (46.2 arpents). A typical domain was the one owned by Jean François Catala in the community of Pechbusque. It consisted of a country house in which Catala spent his yearly vacations, 47.4 acres (34 arpents) of wheat field, 8.4 acres of vineyard, 1.4 acres of meadow, and 5.4 acres of wood. Such a domain produced for Catala a net annual revenue of about 510 livres. In addition, Catala owned scattered fields in other villages: 2.8 acres in Merville and another field of the same size at Auzeville. Catala's domain was typical not only in size but in composition. The barrister's domain was primarily arable (75 percent) with a small amount of meadow and forest. Most landowning barristers had one such principal domain plus a few scattered fields. The less prosperous had smaller domains (farms of 15 to 20 acres) or perhaps only a few scattered fields or acres of vineyard.

Despite their interest in owning rural property, not even modest barristers desired the small vineyards and country residences in the suburbs of Toulouse. Barristers associated this type of property too closely with the "populace," the shopkeepers and artisans who did own the vineyards in the communities surrounding the city. Attorneys, it should be noted, did not disdain to hold such property, but barristers did. Only the domain, which gave him the opportunity to be "maître" to his sharecropper, suited the barrister's self-image. Land was partly an investment in symbolic status, and the barristers expressed their separation from inferior social groups through it.

Though the barristers certainly owned more land than the average property owner of Toulouse, their holdings, like their fortunes, hardly compared with the aristocracy. Sixty percent of the nobles possessed over 100 arpents of land; it is doubtful that more than 15 percent of the barristers owned such large domains. In most of the villages in the diocese, nobles were the principal landlords; barristers could claim this distinction in only 7 of the 200 or more communities in the diocese of Toulouse.

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84 A.D., C-1331-1346, declarations for the vingtième tax, 1750. I have found fifty-eight declarations by barristers in these rolls. Most rolls did not specify occupations, so identification was difficult.
85 A.D., C-1325-1326, 1331. For the revenue, I have used the estimates provided in Forster, Nobility of Toulouse, appendix A.
86 See the vingtième rolls for Cugnaux, Coloniers, Gratentour, Lespinasse, Pontet: A.D., C-1331-1346.
87 Five attorneys owned such property in Gratentour alone. A.D., C-1336.
88 Forster, Nobility of Toulouse, p. 36.
89 A.D., C-1331-1346.
Aside from rural land, barristers invested substantially in constituted rentes. This form of wealth accounted for 30 percent of their fortunes, on the average, and varied less in importance than did urban and rural real estate. Investment in rentes may have been an extension of their legal practices, for clients needed long-term loans when they consulted barristers about dowries, portions, pensions, or jointures. This would explain the barristers' preference for rentes "on individuals" rather than "on the state" or on bodies such as the Estates of Languedoc. Over a tenth of the barristers had fortunes composed primarily of rentes. Claude Castor Bragouse, for example, possessed a large fortune of 120,000 livres, 90 percent of it in rentes.\(^9\)

Urban real estate was the third important element in the barristers' personal fortunes though its importance varied from case to case. Modest barristers had the largest portion of their wealth in houses. As fortunes grew, more went into land and rentes. Nearly a tenth of the advocates owned only urban property, and overall, this type of wealth constituted 27 percent of the barristers' wealth.

Barristers were not very active in the urban housing market. Unlike the parlementaires of Paris, the Toulousan barristers did not speculate in housing despite the lucre to be made as a result of a growing urban population.\(^9\) If they purchased a house, it was for their own use, and a surprisingly large number did not own even this. Apparently, barristers felt no social stigma about renting apartments, so even advocates with large fortunes sometimes did not own residences in Toulouse.\(^9\) They probably placed their wealth in rural property, which gave them more status.

Above all, the barristers were cautious spenders and "prudent" investors. Their debts were small in relation to their fortunes, rarely more than one or two years' revenue. What obligations they did incur had usually been contracted for normal family charges: the settlement of an estate or the provision of dowries and pensions. Moreover, the barristers were decidedly a creditor group, their rentes amounting to a good deal more than their debts.\(^9\) Barristers frequently made loans to one another and occasionally had the honor of advancing funds to aristocrats.

\(^9\)The declarations for the Forced Loans, A.M., 2 G–9–16, provide the most detailed information on the rentes held by barristers.

\(^9\)For the speculative activities of the Parisian parlementaires, see François Bluche, Les magistrats du Parlement de Paris au XVIII\(^{\text{e}}\) siècle (1715–1771) (Paris, 1960), pp. 178–80. The barristers' lack of interest in the urban housing market can be seen through the registers of the centième dernier, A.D., 2 C–3025 ff.

\(^9\)Barristers Lafage and Senovert, with fortunes of 53,000 livres and 70,000 livres respectively, did not possess houses in Toulouse. See A.M., 2 G–12, −16.

\(^9\)The Forced Loan declarations include enumerations of the barristers' debts. See A.M., 2 G–9–16.
Conscious of the need to preserve their fortunes, the barristers avoided risky forms of investment. The only stocks that they owned were shares in the local mills, and a barrister rarely invested more than 3,000 livres in these. Only one advocate of the forty-nine subject to the forced loan had placed capital (other than rentes) with a merchant. This barrister, Jean Marie Lautier, invested only 6,000 livres in commerce and received 5 percent on his money. The barristers preferred very traditional, secure, status-laden forms of wealth to commercial ventures in Toulouse or elsewhere in the kingdom.

**Style of Living**

Difficult as it is to define, “style of living” must be a subject of central concern to the social historian. It was an expression of the material standards that individuals could afford, and also (and more intriguingly) an exhibition of their self-image, cultural level, and sense of values. The Toulousan barristers displayed greater homogeneity in their life styles than in their economic status. And surely their daily decisions on expenditures and investments, the arrangement of their household and family life, were at least as indicative of their place in society as their wealth and social origins.

The economic conditions and social values of eighteenth-century Toulouse were not conducive to a high level of consumption. The most elevated social strata did not often earn large and regular revenues from outside sources; their income came from invested wealth, so heavy expenditures threatened future revenues in an immediate manner. Moreover, a very important source of status in this society was land, and no expenditure on luxury items could quite equal the prestige of investment in rural property. Thus, even the very wealthy did not live opulently. The parlementaires, the richest group in Toulouse, rarely spent more than 3 percent of their fortunes on personal effects, including furniture, apparel, and mode of transport. This sum was somewhat less than a year’s revenue. Even the august magistrate had chairs, wall hangings, and clothing that were noticeably threadbare.

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95A.M., 2 G–9.
96Not much archival research on style of living has been done for nonaristocratic groups. The older study by Albert Babeau, Les bourgeois d’autrefois (Paris, 1886), is still very useful. More recent is André Bouton, Le Maine. Histoire économique et sociale, XVIIe et XVIIIe siècles (Le Mans, 1973), pp. 228–46.
97This estimate of 3 percent is based on the successions published in Sentou, Fortunes et groupes sociaux, pp. 86–112. See, also, Forster, Nobility of Toulouse, chap. 7.
98The near “millionaire” counselor Blanquet de Rouville possessed effects worth only 7,255 livres, less than 1 percent of his wealth. See Sentou, Fortunes et groupes sociaux, p. 90.
Certainly these aristocrats also possessed luxuries, but even at its highest, their mode of existence was not opulent.

The barristers, with much smaller fortunes than the magistrates, had to spend a greater portion of their wealth on personal furnishings. On the average, about 7 percent of their wealth was devoted to this, but as fortunes grew larger the portion spent on personal effects usually declined.\(^99\) Even the more affluent barristers were quite circumspect and restrained in their expenditures.

The parlementaire's mode of living was well above that enjoyed by the barristers. Every magistrate possessed a few elements of real luxury. One counselor owned tapestries worth over 2,000 livres; another possessed gold bracelets and a locket surrounded by precious stones.\(^99\) Nearly all the rooms in their homes were decorated with tapestries and large mirrors, the symbols of a respectable household. Though not extravagant, the magistrates did spend part of their wealth on objects of art, beauty, and cultural interest.

The parlementaires would have been struck by the lack of ornamentation and variety in the homes of the barristers, even the very wealthy ones. For the most part, barristers lived comfortably and possessed a superabundance of the common objects of daily use—kitchenware, linen, table service, and so on. What they lacked were the luxuries, the articles intended as much for display as for use, objects of individual taste or aesthetic appeal.\(^100\) The walls of all but the principal rooms were bare; tapestries, usually confined to the drawing room and perhaps a chamber or two, were inexpensive and often very old.\(^101\) Chandeliers of any sort were rare. Only a minority of barristers had silver, usually no more than a half-dozen spoons or forks.\(^102\) Their table service, though abundant, was made only of earthware, never of porcelain.

It is worth comparing the drawing room of a wealthy and ennobled barrister like Pierre Arexi with the parlor of a magistrate. Arexi

\(^99\)The major sources for studying the values of the barristers' personal possessions are the twenty-one acts of succession published in Sentou, *Fortunes et groupes sociaux*, and the thirty-two inventories of barristers' possessions in the Departmental Archives (*A.D.*, 3E-11871–11966) and Municipal Archives (*A.M.*, 1 S—'Biens des Emigrés.') The stated values, however, are often deceptive because they included "moveables" like farm equipment and animals, which did not contribute to a "style of living." Care must be taken to eliminate these elements.

\(^99\) See the inventories of barristers accused of being *émigrés*, *A.M.*, 1 S. Altogether, I have examined thirty-two inventories of barristers' personal effects and furnishings.

\(^101\) A wealthy law professor, Julien, had wall-hangings worth only 190 livres. Those of counselor Bonnemain were worth ten times as much. *A.D.*, 3E-11919; 3E-11874.

\(^102\) Only fourteen of the thirty-two inventories inspected indicated that the barristers possessed silver. Only one (*A.D.*, 3E-11917, inventory of Ginisty) mentioned valuable jewelry.
decorated this, the principal room of his home, with eighteen armchairs, a sofa, and two small wooden tables covered with green cloth. The walls were decorated with two moderate-sized mirrors over the fireplace. There was also a small chandelier, which was a rarity in a barrister's home.\textsuperscript{103} By comparison, the drawing room of counselor Jean Paul David was elaborately furnished. A "fine" tapestry representing battle scenes hung on the wall along with a larger mirror. For the guests, there were two sofas and twelve armchairs, a large marble table, and three smaller wooden tables. The room was decorated with four ornamental folding screens, a carpet, some inlaid furniture, and a birdcage with two birds.\textsuperscript{104} Although David's house was not luxurious, it was much more ornate and even aristocratic than the sober home of Arexi.

The barristers' furnishings demonstrated a spirit of cautious spending. Their life style could not be described as "severe" for, along with civil officers and rich merchants, they lived better than all but important nobles and parlementaires; but there certainly was an element of restraint and an avoidance of needless expenditures. Even highly cultivated barristers—and, as we shall see, there were several at the bar—possessed none of the musical or scientific instruments which magistrates owned.\textsuperscript{105} Rich or modest, the barristers aimed for solid comfort and not much more.

A distinction should be drawn between status-laden investments, of which the barristers approved, and the purchase of luxuries, which was not acceptable to them. Barristers were apparently eager to acquire seigneurial rights, and about a tenth of them had done so.\textsuperscript{106} Hôtels were also an attractive investment for those barristers who could afford them.\textsuperscript{107} However, barristers manifested little desire to compete for prestige among their peers through high levels of consumption. In this sense, their "consumer mentality" was entirely different from such elite groups as the court nobility or the financiers of Paris.\textsuperscript{108} The Toulousan barristers sought other ways of expressing their respectable social standing, and they channelled their wealth into real estate or, perhaps, into good dowries for their daughters.

\textsuperscript{103} A.M., 1572.
\textsuperscript{104} A.D., 3E–11896.
\textsuperscript{105} See, for example, the inventory of the academician-barrister Jamme, A.M., 1 S–59.
\textsuperscript{106} Actually, barristers were usually co-seigneurs, owning a minor portion (one sixth or one eighth) of the rights. Few purchased full seigneurial rights. See A.D., C–3010–3034, dénombrements.
In this society of extreme inequality of wealth, solid comfort was itself the mark of a fairly elevated social standing. But what identified the barristers as a high-status group was not so much their material possessions as the manner in which they organized their households. The barristers, along with aristocrats and other wealthy commoners, sought family privacy, a regulated social life, and the relegation of occupational concerns to their proper sphere. In these goals the higher social strata differed markedly from artisans and most merchants, whose daily existence was organized around the trade. Artsians and shopkeepers lived in cramped quarters above the shop; their one or two rooms contained only essential furnishings and served for eating, sleeping, and socializing. Life was centered about the shop below. Those who lived in this manner may well have been able to afford something better, but they did not aspire to anything more.

Barristers (along with the magistrates, rentiers, and large merchants, with whom they shared this life style) organized their households and family lives very differently. They attempted to provide a forum for socializing as well as a stronghold for family and personal privacy. The very existence of a salon de compagnie, a room for the specialized purpose of socializing, was a mark of social superiority. This was the principal room in the barrister's home, and he decorated it as well as his sober habits of spending would allow. Into this room he put a very large number of chairs (often fifteen or twenty)—a provincial symbol of affluence to this day. The best furniture went into this room, while the more worn chairs and practical effects (armoires and coffers) were placed elsewhere. Social life was made as comfortable as possible in this room, with its fireplace, tapestries, and mirrors. Any paintings or ornamental objects were in the salon, too. The barrister's family and social lives went on in this room, and the rest of the house was subordinated to it.

Barristers did not feel obligated to own homes, but they did seek a certain respectability in the style of their residences. The house with carriage gates (portes cocheres) was thought desirable as a symbol of wealth and standing. If they leased apartments, barristers made certain that their principal rooms were on the first living floor; and

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109 The following is an impressionistic description, based on the examination of inventories-after-death of ten artisans and ten marchands.

110 See, for example, the inventory of the shoemaker Dupuy (A.D., 3E-11904). He owned a house in Toulouse, a vineyard outside the city, and left 1,800 livres in cash, but he lived as described above.

111 A minority of barristers possessed ornamental (apart from religious) objects. The few pictures inventoried were religious in subject and not very valuable (2-3 livres). Only one barrister possessed a family portrait.

112 For documents on home ownership, value, size, and style see A.M., 1 G, "Contribution foncière," in addition to the inventories-after-death.
above all, they desired large residences. Jean Marie Saremejane, for example, lived in a three-story house with ten rooms. Jean Bernard Chipoulet and his wife lived alone in apartments of seven rooms. Only newlyweds, who often boarded in their parents' home, and widowers resided in confining quarters on the second floor or above.

These large residences permitted individual and family privacy. Many homes had a bedroom for each child. The domestics were kept at arm's length. They slept in the kitchen or a separate bedroom and ate in the kitchen; the family had a dining room for its use. Barristers also segregated their professional and family lives. Their offices (cabinets) were located near the principal entrance to the house, so clients could come and go without disturbing the family. The barrister's secretary was never part of the household. By contrast, the clerks of the attorneys and notaries resided with their masters. The barrister's household was thus a more exclusive circle, composed of family, relatives, and invited friends, while all others were defined as "outsiders." It was through this organization of home and family life that barristers expressed their honnêteté.

Barristers were imitating the aristocracy of the city in adopting this life style, and many of the differences between the parlementaire's household and that of the advocate resulted from the disparities in their wealth. One has the sense that with more money barristers would have lived even more like their social superiors. However, some differences in life style were based not on financial inequalities but rather on divergent norms, values, and self-images. The most interesting of these was the barristers' attitudes toward public displays of opulence, which they eschewed for themselves but expected of the aristocracy. Barristers dressed in somber colors: black, grey, and maroon. Their suits were made of plain wool, though a rich barrister might have one of silk or velvet. This dress might be compared to the wardrobe of counselor David: two suits of green taffeta, a coat and breeches in scarlet with gold braiding, a satin coat, several pairs of velvet breeches, a plum-colored suit with gold buttons and braiding, and two coats of white satin with gold braiding. Even if a barrister could have purchased such apparel, he would have felt self-conscious wearing it.

113 A.M., 1 S-41, for Saremejane; A.D., 3E-11887, inventory of Chipoulet.
114 See, for example, the inventories of two widowers, Louis Antoine Clausolles and Guillaume de Peres, A.D., 3E-10756, fol. 164 and 3E-2117, register 2, fol. 356.
115 Before the eighteenth century, barristers received clients in the same "general purpose" rooms in which they ate, slept, and conducted family life. See Philippe Ariès, Centuries of Childhood: A Social History of Family Life, trans. Robert Baldick (New York, 1962), p. 310. I have not been able to determine exactly when this changed.
116 A.M., CC-rolls of capitation. These rolls listed the servants and other adults residing in the household with the family.
117 A.D., 3E-11896, inventory of David.
The barristers' attitude toward domestic servants was another sign of their disinclination for public displays of wealth. Servants were a necessary part of a respectable household, and at least two-thirds of the barristers employed one.118 Most advocates could not afford more than a single servant, for wages and board cost at least 500 livres a year.119 Only 20 percent of the barristers had two domestics, and very few employed more than two, no matter how well-off they were. This limit was psychological and cultural, not financial. For example, Jean Prévost (de Fenouillet), one of the richest pleaders, with a fortune of 214,000 livres, employed only two servants. The parlementaire Joseph de Rigaud had a fortune of 211,000 livres, but he had eight servants.120 The marquis de Palarin, who paid the same head tax as Prévost, employed five domestics.121

The type of servant was as important as the number, and there had been some recent shifts of habit in this area. Before 1750, all capitouls and rich barristers had employed valets; a few even had lackeys.122 By the last decades of the Old Regime, noble barristers had dismissed such servants from their households. Valets and lackeys invoked too much the tone of extravagance, so they employed only servants and chamber maids. The parlementaires and nobles of older extraction were the only ones to retain lackeys and valets. This change may have been induced by the rising cost of keeping servants,123 but it is interesting that noble barristers chose to economize in this manner. Was it simply that symbols of status were shifting, or could it have been that barristers were sensing more deeply their separation from the aristocracy of the city?

AN INTERMEDIATE SOCIAL GROUP

The social structure of Toulouse was, to be sure, a continuum, but a continuum with fissures at different points. These fissures were of varying depths, and they found varying forms of expression. No single criterion alone—wealth, social origin, life style—could reveal each cleavage, but a study of all these factors identifies at least some of them. There was, of course, an important break which isolated the artisan

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118 A.M., CC-rolls of capitation.
119 John McManners, *French Ecclesiastical Society in the Old Regime: A Study of Angers in the Eighteenth Century* (Manchester, 1960), p. 141. This was the annual cost of servants in the 1760s. It undoubtedly rose with the price of food thereafter.
121 A.M., CC-1008.
122 See, for example, A.M., CC-1071 (for 1735) and CC-1077 (for 1740).
123 This is the argument of Bernard Marcoul, “Les domestiques à Toulouse au XVIIIe siècle” (D.E.S., University of Toulouse, 1960).
from most liberal professionals and larger merchants. All that has been said so far indicates a more subtle fissure separating the middling professions (notaries, attorneys, doctors, law clerks) from barristers, most judges, and the wealthiest of merchants and rentiers. This fissure was based only partly on professional prestige, so particularly wealthy individuals in the middling occupational groups might belong to the higher stratum. Moreover, this was not an impermeable division. Mobility through it was frequent; the crossing from one level to another involved subtle but telling changes in life style, status symbols, cultural activities, and attitudes. The fact that an attorney might have a vineyard in the suburb and keep a clerk in his household while his son, a barrister, did away with both, was significant. So was the one-way social movement, as the notary strove to place a son at the bar while the barrister never wanted to see his son a notary, attorney, or greffier. These changes mark the fissure between the middling occupational groups and the barristers.

Above the barristers' level was another important cleft; one that was, perhaps, as large as the break separating the peuple from the middling groups. This second cleft divided the barristers, civil officers, and rich merchants from the aristocracy of parlementaires and noblesse de race. Thus, the barristers were part of an intermediary group between the middling professions and the aristocracy. This intermediary stratum cut across the legal Orders. At its lower limits were the barristers of no special distinction, and at the top were the ennobled barristers and their children, who formed an exclusive circle of minor nobles.

Such was the social structure of Toulouse and the barristers' position in it as measured by their wealth, marriage alliances, and life styles. These, however, were not the only important determinants of social relations. Until we adopt a dynamic analysis and assess the prospects of crossing each fissure, and until we examine cultural and political alignments, our comprehension of the barristers' social world will remain incomplete.